

1 ROBERT K. PHILLIPS
2 Nevada Bar No. 11441
3 ALYCE FOSHEE
4 Nevada Bar No. 14519
5 **PHILLIPS, SPALLAS & ANGSTADT LLC**
6 504 South Ninth Street
7 Las Vegas, Nevada 89101
8 (702) 938-1510
9 (702) 938-1511 (Fax)
10 rphillips@psalaw.net
11 afoshee@psalaw.net

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 2:17-cv-02196- APG -VCF

SYLVIA LEYS,
Plaintiff,

v.

WAL-MART STORES, INC., dba WALMART
STORE #4356 a foreign
corporation; DOE EMPLOYEE; DOES I
through XXX, inclusive and ROE
BUSINESS ENTITIES I through XXX,
inclusive,
Defendants.

**STIPULATION AND ORDER FOR
LEAVE TO CONDUCT CERTAIN
DISCOVERY OUTSIDE THE
DISCOVERY PERIOD**

Plaintiff SYLVIA LEYS (hereinafter "Plaintiff") and Defendant WAL-MART STORES, INC. (hereinafter "Defendant"), by and through their respective counsel of record, do hereby stipulate to conduct certain discovery outside the discovery period. Specifically, the parties stipulate that **Defendant shall take the deposition of Plaintiff on November 13, 2018 at 9:00 AM.**

DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference.
- The parties have served and exchanged their respective FRCP 26(a) initial disclosures and supplements thereto.
- Plaintiff has served written discovery requests to Defendant, and Defendant timely served its responses and objections to the same.

- Defendant has served written discovery requests to Plaintiff, and Plaintiff timely served her responses and objections to the same.
- Each party has made their respective expert disclosures.
- Plaintiff has taken depositions of fact witnesses, including Walmart employees Marlen Hughes, Drake Jenkins, and Dennis Dellere.
- Defendant has taken the deposition of Plaintiff's expert John Peterson.
- Defendant has taken depositions of Plaintiff's treating providers Dr. Grover and Dr. Moratillo.
- Defendant has obtained executed authorizations from Plaintiff and has subpoenaed and records from Plaintiff's providers and continues to subpoena updated records on an ongoing basis.

DISCOVERY TO BE COMPLETED OUTSIDE THE DISCOVERY PERIOD

Discovery to be completed includes:

- Defendant's deposition of Plaintiff.

The parties aver that good cause exists for the request pursuant to Local Rule 6-1. Defendant timely noticed the Plaintiff's deposition, however, due to scheduling conflicts, said deposition could not be completed within the discovery period. As such, the parties have cordially agreed to aforementioned date and time for completion of the deposition.

//

//

//

//

//

1 The parties aver that this request is made by the parties in good faith and not for the purpose of
2 delay.

3 DATED this 5th day of November, 2018.

DATED this 5th day of November, 2018.

4 /s/ Carl R. Houston

/s/ Alyce W. Foshee

5 CARL R. HOUSTON, ESQ.

ROBERT K. PHILLIPS, ESQ.

6 Nevada Bar No. 11161

Nevada Bar No. 11441

7 LADAH LAW FIRM

ALYCE W. FOSHEE, ESQ.

8 517 S. Third Street

Nevada Bar No. 14519

Las Vegas, NV 89101

PHILLIPS SPALLAS & ANGSTADT LLC

504 South Ninth Street

Las Vegas, Nevada 89101

9 *Attorneys for Plaintiff*

Sylvia Leys

Attorneys for Defendant

Wal-Mart Store, Inc.

13 IT IS SO ORDERED:

14 
15 UNITED STATES MAGISTRATE JUDGE

16 11-5-2018

17 DATED: _____

CERTIFICATE OF SERVICE

Pursuant to FRCP Rule 5, I hereby certify that I am an employee of the law firm PHILLIPS, SPALLAS & ANGSTADT, LLC, and that on this 5th day of November, 2018, I electronically served a copy of **STIPULATION AND [PROPOSED] ORDER FOR LEAVE TO CONDUCT CERTAIN DISCOVERY OUTSIDE THE DISCOVERY PERIOD** as follows:

- ☐ By facsimile addressed to the following counsel of record, at the address listed below;
- ☐ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☐ By Hand Delivery (ROC); and/or
- ☒ By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
RAMZY P. LADAH ESQ. Nevada Bar No. 11405 CARL R. HOUSTON Nevada Bar No. 11161 LADAH LAW FIRM 517 S. Third Street Las Vegas, NV 89101 ramzy@ladahlaw.com	Phone 702-252-0055 Fax 702-248-0055	Plaintiff



An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC